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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON OCTOBER 26, 2010

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 1:30 p.m.  
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

**PRESENT**

Commission: Orjiakor N. Isiogu, Chairman  
Monica Martinez, Commissioner  
Greg R. White, Commissioner

Staff: Margaret Rost  
Judy Palnau  
Mary Jo Kunkle  
Catherine Bowers

Public: Jerry Crandall, MIRS  
Suzy Denison, MEGA  
Dave Forsberg, Michigan Gas Utilities  
Lisa Gustafson, Consumers Energy  
Jim Padgett, DTE Energy  
Saudia Santure, Consumers Energy

- I.** Commissioner Martinez moved to approve today's agenda, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The agenda was approved.

- II.** Commissioner Martinez moved to approve the minutes of the Regular Commission Meeting of October 14, 2010, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The minutes were approved.

### III. ORDERS

#### A. COMMUNICATIONS

1. U-15982 MAP TELECOM, LLC  
(license surrender)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which involves a request by MAP Telecom, LLC, to surrender its license to provide basic local exchange service. The order before you grants the request, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

2. U-16227 TENNESSEE TELEPHONE SERVICES, LLC, d/b/a FREEDOM COMMUNICATIONS USA, LLC  
(ETC application)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which involves an application for designation as an eligible telecommunications carrier for purposes of universal service fund support. The order before you grants the application, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

3. U-16387 AT&T MICHIGAN AND NAVIGATOR TELECOMMUNICATIONS, LLC  
U-16471 TC3 TELECOM, INC. AND DEERFIELD FARMERS TELEPHONE COMPANY  
(interconnection agreements and amendments)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which requests Commission approval of interconnection agreements or amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

4. U-16393 U.S. METROTEL, LLC, d/b/a S7 DIGITAL COMMUNICATIONS  
(permanent license)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which is an application for a license to provide basic local exchange service. The order before you grants the license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

5. U-16468 ACE TELEPHONE COMPANY OF MICHIGAN, INC.  
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which is an application for a temporary expansion of a license to provide basic local exchange service. The order before you grants the temporary license expansion, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

**B. ELECTRIC**

1. U-15805 CONSUMERS ENERGY COMPANY  
(*ex parte* approval)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which involves an application by Consumers Energy Company for *ex parte* approval of a Power Purchase Agreement between the company and Scenic View Dairy, L.L.C. The order before you approves the contract as in compliance with Act 295 of 2008, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

2. U-15943 CONSUMERS ENERGY COMPANY  
(electric choice incentive mechanism reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which involves an application by Consumers Energy Company for reconciliation of its Electric Choice Incentive Mechanism for the periods of June 20, 2008 through December 31, 2008, and January 1, 2009 through November 30, 2009. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

3. U-16462 COMMISSION’S OWN MOTION  
(extension of time)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which involves an investigation into the response of The Detroit Edison Company to recent windstorm damage in the City of Detroit. The order before you revises the deadline for the Commission Staff to file its report from November 1, 2010 to December 1, 2010. The utility’s deadline for filing a response to the Staff’s report is extended to January 4, 2011, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

**C. GAS**

1. U-15990 MICHIGAN GAS UTILITIES CORPORATION  
(rehearing)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which involves a petition for rehearing filed by Michigan Gas Utilities Corporation. The order before you

grants the petition and provides requested clarifications,  
Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

2. U-16295 COMMISSION’S OWN MOTION  
(gas safety rules)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which involves the revision of Commission rules governing gas pipeline safety. The order before you adopts the revised rules, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

#### **PRESS RELEASE ISSUED**

3. U-16392 STREAM ENERGY MICHIGAN, LLC  
(application dismissal)

Commissioner Martinez moved that the Commission adopt and issue order dated October 26, 2010 which is an application for an alternative gas supplier license filed by Stream Energy Michigan, LLC. The order before you dismisses the application without prejudice at the request of the applicant, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

#### **IV. PUBLIC COMMENTS**

There were no public comments.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on November 4, 2010.

Commissioner Martinez moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The motion was approved.

The meeting adjourned at 1:38 p.m.

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Mary Jo Kunkle  
Executive Secretary